

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

|                                  |   |                     |
|----------------------------------|---|---------------------|
| DOROTHY STANLEY, AS EXECUTRIX OF | : |                     |
| THE ESTATE OF HELEN A. RUNGE,    | : |                     |
| Plaintiff                        | : |                     |
|                                  | : |                     |
|                                  | : | No. 05-10849-RGS    |
| v.                               | : | (Judge Stearns)     |
|                                  | : |                     |
| WALTER J. KELLY, et al.,         | : | CIVIL ACTION        |
| Defendants                       | : | JURY TRIAL DEMANDED |

**LIST OF EXHIBITS TO BE OFFERED AT TRIAL**

- A. Letter of Helen Runge to "To Whom It May Concern," April 30, 2003
- B. Letter of Helen Runge to Sunbridge, May 12, 2003
- C. Notes of Walter Kelly, 3 pages
- D. Sunbridge Healthcare Health and Medical Condition, Informing Residents of, Policy, June 2002
- E. Sunbridge Healthcare Psychoactive Medications Policy, June 2002
- F. Sunbridge Healthcare Refusal of Treatment Policy, June 2002
- G. Deposition of Sandra M. Porazzo-Perry, March 28, 2007.
- H. Note of Helen Runge, January 17, 2003
- I. Letter of Helen Runge to Walter Kelly, March 12, 2003
- J. Letter of Helen Runge to Dorothy Stanley, March 2003
- K. Letter of Robert M. Palmer, M.D., to Dorothy Stanley, May 12, 2003
- L. Note of B. Rhett Myers, M.D., May 30, 2003

- M. Letter of Robert M. Palmer, M.D., to Dorothy Stanley, July 25, 2003
- N. Letter of Phillip R. Feagan to Michael J. McCann and Thomas Schiavoni, June 2, 2003
- O. Packet: Invoices of Walter J. Kelly dated June 3, 2003 and August 8, 2003; Walter J. Kelly check dated June 4, 2003 (\$7,500); Pre-Bill of Walter J. Kelly dated September 25, 2003; MembersPlus check dated May 20, 2003 (\$25,000); MembersPlus check dated August 7, 2003 (\$6,500); Invoice of McGee & Schiavoni dated May 16, 2003; Walter J. Kelly check dated May 23, 2003 (\$4,227.50); Invoice of McGee & Schiavoni dated August 7, 2003; Walter J. Kelly check dated August 7, 2003 (\$6,150); Sunbridge Charges dated May 2, 2003; Walter J. Kelly check dated May 23, 2003 (\$9,475.31); Walter J. Kelly check dated June 4, 2003 (\$702.10); Statement of Account dated May 15, 2003; Invoice of Katherine F. Eddy dated May 2, 2003; Walter J. Kelly check dated May 23, 2003 (\$540); Letter of Walter J. Kelly to Michael McCann dated June 4, 2003; Walter J. Kelly check dated June 4, 2003 (\$1,900).
- P. Deposition of Farrah Seidler, May 8, 2007
- Q. Affidavit of Helen A. Runge, July 27, 2003
- R. Transcription of Videotaped Statement and Videotaped Statement of Helen A. Runge, January 16, 2004
- S. Helen Runge's Answer to Kelly's Interrogatories, October 12, 2006, and Answer to Bloomingdale's Interrogatories, October 12, 2006
- T. Affidavit of Walter J. Kelly in Support of Motion for Award of Costs in guardianship proceeding
- U. July 13, 2006, Chapter 93A demand letter
- V. August 10, 2006, response to Chapter 93A demand letter
- W. Helen Runge's medical records from Sunbridge (00001 - 00485)
- X. Photographs of Helen Runge
- Y. Massachusetts Resident Admission Agreement

- Z. 2003 Invoices of Lawrence Hale regarding defense of guardianship proceeding
- AA. October 15, 2004, January 11, 2005 and September 20, 2005 Invoices of Blake J. Godbout & Associates
- BB. March 15, 2004 Invoice of Latsha, Davis, Yohe & McKenna, P.C.
- CC. Deposition of Walter Kelly, December 1 and 14, 2006
- DD. 1992 Last Will and Testament of Helen Runge
- EE. 1994 Codicil to Last Will and Testament
- FF. 1998 Last Will and Testament of Helen Runge
- GG. 3/5/98 Durable Power of Attorney of Debra Gaughan
- HH. 02/29/00 Discharge Summary - Jewish Memorial
- II. Geraghty Associates, Inc. (Landlord) documents
- JJ. 10/04/00 Letter from Runge to Kelly
- KK. 10/4/00 Runge's Appt of Kelly as Rep. for MassPRO correspondence
- LL. 10/4/00 Letter from Runge to Kelly re MassPRO
- MM. 10/11/00 Letter from MassPRO to Helen Runge
- NN. 10/11/01 to 11/15/02 Nurse's Notes from Marian Manor
- OO. 10/11/01 to 11/30/02 Social Worker notes from Marian Manor
- PP. 10/25/01 Marian Manor Resident Care Plan
- QQ. 11/1/00 Letter from MassPRO to Kelly, November 1, 2000
- RR. 11/1/00 Letter from MassPRO to Helen Runge
- SS. 11/08/01 Letter from Runge appointing Kelly as Durable Power of Attorney
- TT. 11/26/01 Letter from Helen Runge to Kelly

UU. 04/26/02 Nova Psychiatric Services Notes

VV. 08/21/02 Marian Manor team meeting notes

WW. 11/15/02 to 01/07/03 BayView Nurse's Notes

XX. 01/09/03 Application Pursuant to M.G.L. c. 123 s. 12(a) for Involuntary Hospitalization

YY. 01/11/03 Carney Hospital Emergency Dept. Assessment Flow Sheet

ZZ. 01/11/03 Carney Hospital Emergency Dept. Physician Record

AAA. 01/12/03 Application for and Authorization of Temporary Involuntary Hospitalization

BBB. 01/14/03 Application for Care and Treatment on a Conditional Voluntary Basis

CCC. 01/15/03 Carney Hospital: Medication Administration Record

DDD. 01/16/03 SunBridge pre-admission assessment

EEE. 01/22/03 Carney Hospital: Psychiatric Discharge Summary

FFF. 01/22/03 Consent for Medical and Health Care Services

GGG. 01/23/03 Inventory List

HHH. 01/29/03 Carney hospital bill

III. 02/??/03 Valentine's day card from Dorothy to Helen

JJJ. 2/4/03 - 5/6/03 Kelly Invoice

KKK. 3/12/03 Letter from Helen Runge to Walter Kelly

LLL. 03/24/03 Letter from Helen Runge to Dorothy Stanley

MMM. 03/31/03 Meridian Health Associates - Dental care notes

NNN. 3/31/03 SB Antipsychotic Medication Informed Consent

OOO. 3/31/03 Meridian Health Associates Invoice for Oral Exam

PPP. 4/24/03- 2/23/04 McGee & Schiavoni Invoices

QQQ. 4/29/03 Notice to Healthcare Provider

RRR. 05/01/03 Motion for Appointment of Guardian ad Litem

SSS. 05/01/03 Motion for appointment of temporary guardian

TTT. 05/01/03 Motion for Release of Bank Funds

UUU. 05/02/03 Probate Court's Findings of Fact

VVV. 05/02/03 Bond of Temporary Guardian

WWW. 05/02/03 Affidavit of Walter Kelly in Support of Motion for Temp. Guardian

XXX. 5/5/03 Durable Power of Attorney for Financial Management

YYY. 5/6/03 Letter from Schiavoni to Helen Runge

ZZZ. 5/23/03 Check from Kelly Client's Fund to Meridian Health Associates

AAAA. 6/4/03 Check from Client Fund Account to Sunbridge

BBBB. 7/1 /03-9/2/03 Kelly Bill Worksheet

CCCC. 7/25/03 Transfer Under the NC Uniform Custodial Act

DDDD. 7/25/03 Declaration of Trust under the NC Uniform Custodial Trust Act

EEEE. 7/28/03 Motion to Extend Temporary Guardianship

FFFF. 8/1/03 Letter from Schiavoni to Hale

GGGG. 8/29/03 Inventory

HHHH. 9/7/03 Kelly Client Fund Check to Schiavoni

IIII. 10/08/03 Psychosocial Assessment - St Luke's Hospital

JJJJ. 10/09/03 Psychiatric Assessment - St. Luke's Hospital

KKKK. 11/07/03 Discharge Summary - St. Luke's Hospital

LLLL. 04/02/04 Nursing Admissions Assessment

MMMM. 04/06/04 Progress Notes (White Oaks - Benson Hall Assisted Living)

NNNN. 04/07/04 to 12/29/04 White Oaks - Benson Hall As sited Living Nurse's Notes

OOOO. 11/5/04 Affidavit of Walter Kelly in Support of Motion for Award of Costs

PPPP. 12/31/04 History & Physical - St. Luke's Hospital

QQQQ. 01/01/05 St. Luke's Hospital History & Physical

RRRR. 01/06/05 to 03/24/05 White Oaks - Benson Hall As sited Living Nurse's Notes

SSSS. 1/20/05 Gilbert Stanley Sworn Statement, Jan. 20, 2005

TTTT. 9/26/05 Medical Progress Note - Black Mountain Center

UUUU. Undated Letter from Dr. George Kim

VVVV. 12/07/01 Durable Power of Attorney dated 12/7/01

WWWW. 01/??/03 Admissions Assessment

XXXX. 01/22/03 to 04/30/03 Physician's Order Sheets

YYYY. 01/22/03 SB-Randolph Dental Records

ZZZZ. 01/22/03 Carney Hospital: Discharge Instructions and Referral Form

AAAAA. 01/23/03 to 05/13/03 Social Progress notes

BBBBB. 01/23/03 to 04/02/03 Vital Signs and Weight Chart

CCCCC. 01/27/03 to 06/04/03 Physician's Progress Notes

DDDDD. 02/05/03 Authorization for Services: Meridian Health Associates

EEEE. 02/10/03 New England Geriatrics Registration Form

FFFF. 02/10/03 New England Geriatrics Assessment

GGGG. 02/13/03 to 04/24/03 Nutritional Progress Notes

HHHH. 02/14/03 Antipsychotic Medication Informed Consent form

IIII. 02/25/03 Meridian Health Associates - Optometry consult

JJJJ. 02/27/03 Antipsychotic Medication Informed Consent form

KKKK. 03/04/03 New England Geriatrics Diagnostic/Treatment Evaluation

LLLL. 03/13/03 New England Geriatrics Treatment Plan

MMMM. 03/13/03 New England Geriatrics Diagnostic/Treatment Evaluation

NNNN. 1/22/03 to 04/30/03 SunBridge Nurse's Notes

OOOO. 03/29/03 Meridian Health Associates - Podiatry notes

PPPP. 03/31/03 New England Geriatrics Diagnostic/Treatment Evaluation

QQQQ. 04/01/03 New England Geriatrics Diagnostic/Treatment Evaluation

RRRR. 04/21/03 New England Geriatrics Diagnostic/Treatment Evaluation

SSSS. 04/22/03 New England Geriatrics Progress Notes

TTTT. 04/23/03 Activities Progress Notes

UUUU. 04/29/03 New England Geriatrics Diagnostic/Treatment Evaluation

VVVV. 05/02/03 Temporary Decree of Guardianship

WWWW. 05/21/03 Department of Public Health Report

XXXX. 9/30/03 Letter from Schiavoni to Hale with attachments

Respectfully submitted by,

The Plaintiff,  
DOROTHY STANLEY, EXECUTRIX OF THE  
ESTATE OF HELEN RUNGE,  
By her attorneys,

By /s/ Glenn R. Davis

Glenn R. Davis  
1700 Bent Creek Boulevard, Suite 140  
Mechanicsburg, PA 17050  
(717) 620-2424  
gdavis@ldylaw.com  
*Pro Hac Vice*

Blake J. Godbout, BBO #196380  
BLAKE J. GODBOUT & ASSOCIATES  
33 Broad Street, 11th Floor  
Boston, MA 02109  
(617) 523-6677

The Defendant,  
SUNBRIDGE NURSING HOME AND  
REHABILITATION CENTER,  
By its attorney,

/s/ Michael Williams

Michael Williams, Esq.  
Lawson & Weitzen, LLP  
88 Black Falcon Avenue, Suite 345  
Boston, MA 02210-2414

The Defendant,  
WALTER J. KELLY,  
By his attorneys,

/s/ Michele Carlucci

George C. Rockas, BBO #544009  
Michele Carlucci, BBO #655211



WILSON ELSEER MOSKOWITZ EDELMAN &  
DICKER LLP  
260 Franklin Street  
Boston, MA 02110  
(617) 422-5300